

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Commerce and Economic
5 Opportunity Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 605-530 as follows:

7 (20 ILCS 605/605-530 new)

8 Sec. 605-530. Veteran-owned small business loans.

9 (a) In this Section:

10 "Small business" means any for-profit business in
11 Illinois, including, but not limited to, any sole
12 proprietorship, partnership, corporation, joint venture,
13 association, or cooperative, which is expected to have fewer
14 than 500 full-time employees.

15 "Veteran" means an Illinois resident who has served as a
16 member of the United States Armed Forces on active duty or
17 State active duty, a member of the Illinois National Guard, or
18 a member of the United States Reserve Forces and who has
19 received an honorable discharge.

20 "Veteran-owned small business" means a small business that
21 is, in the Department's judgment, at least 51% owned and
22 managed by one or more persons who are veterans.

23 (b) The Department may make participation loans to

1 veteran-owned small businesses for the purposes of promoting
2 the creation of veteran-owned small businesses and promoting
3 the creation of jobs within small businesses. A loan made under
4 this Section must meet the following requirements:

5 (1) The loan may not exceed \$100,000 or 50% of the
6 business project costs unless the Director determines that
7 a waiver of these limits is required to meet the purposes
8 of this Section.

9 (2) The loan may be made only if, in the Department's
10 judgment, the number of jobs to be created is reasonable in
11 relation to the loan funds requested.

12 (3) The loan must be protected by security. Financial
13 assistance may be secured by first, second, or subordinate
14 mortgage positions on real or personal property, by royalty
15 payments, by personal notes or guarantees, or by any other
16 security satisfactory to the Department to secure
17 repayment.

18 (4) The loan shall be in a principal amount and form
19 and contain terms and provisions with respect to security,
20 insurance, reporting, delinquency charges, default
21 remedies, and other matters that the Department determines
22 are appropriate to protect the public interest and
23 consistent with the purposes of this Section.

24 (c) Notwithstanding any other rulemaking authority that
25 may exist, neither the Governor nor any agency or agency head
26 under the jurisdiction of the Governor has any authority to

1 make or promulgate rules to implement or enforce the provisions
2 of this amendatory Act of the 95th General Assembly. If,
3 however, the Governor believes that rules are necessary to
4 implement or enforce the provisions of this amendatory Act of
5 the 95th General Assembly, the Governor may suggest rules to
6 the General Assembly by filing them with the Clerk of the House
7 and Secretary of the Senate and by requesting that the General
8 Assembly authorize such rulemaking by law, enact those
9 suggested rules into law, or take any other appropriate action
10 in the General Assembly's discretion. Nothing contained in this
11 amendatory Act of the 95th General Assembly shall be
12 interpreted to grant rulemaking authority under any other
13 Illinois statute where such authority is not otherwise
14 explicitly given. For the purposes of this amendatory Act of
15 the 95th General Assembly, "rules" is given the meaning
16 contained in Section 1-70 of the Illinois Administrative
17 Procedure Act, and "agency" and "agency head" are given the
18 meanings contained in Sections 1-20 and 1-25 of the Illinois
19 Administrative Procedure Act to the extent that such
20 definitions apply to agencies or agency heads under the
21 jurisdiction of the Governor.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.